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8 UNITED STATES DISTRICT COURT  
9 WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

10 DAVID RAY SANCHEZ,

11 Petitioner,

12 v.

13 SCOTT FRAKES,

14 Respondent.

CASE NO. 11-cv-5888-BHS-JRC

ORDER DIRECTING SERVICE  
AND RETURN, § 2254 PETITION

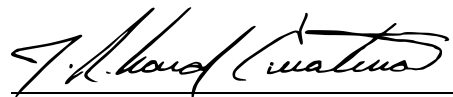
15 (1) The clerk shall arrange for service by certified mail upon respondent and the  
16 Attorney General for the State of Washington, copies of the petition, all documents in support  
17 thereof. All costs of service shall be advanced by the United States. The Clerk shall assemble  
18 the necessary documents to effect service. In addition, the Clerk shall send petitioner a copy of  
19 this Order, along with a copy of the Court's General Order regarding pro se litigation.

20 (2) Within forty-five (45) days after such service, respondent(s) shall file and serve  
21 an answer in accordance with Rule 5 of the Rules Governing § 2254 Cases in United States  
22 District Courts. As part of such answer, respondent(s) should state whether petitioner has  
23 exhausted available state remedies, whether an evidentiary hearing is necessary, and whether  
24 there is any issue of abuse or delay under Rule 9. Respondent shall not file a dispositive motion  
in place of an answer without first showing cause as to why an answer is inadequate.

1 Respondent(s) shall file the answer with the Clerk of the Court and serve a copy of the answer  
2 upon petitioner.

3 (3) The answer will be treated in accordance with Local Rule CR 7. Accordingly,  
4 upon receipt of the answer the Clerk will note the matter for consideration on the fourth Friday  
5 after the answer is filed, petitioner may file and serve a response not later than on the Monday  
6 immediately preceding the Friday appointed for consideration of the matter, and respondent may  
7 file and serve a reply brief not later than on the Thursday immediately preceding the Friday  
8 designated for consideration of the matter.

9 DATED this 2nd day of December, 2011.

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11 J. Richard Creatura  
12 United States Magistrate Judge  
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